

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION ) MDL 2804  
OPIATE LITIGATION )  
 ) Case No. 1:17-MD-2804  
THIS DOCUMENT RELATES TO: )  
 ) Judge Dan Aaron Polster  
*Track Three Cases* )  
 ) **ORDER REGARDING ABATEMENT**  
 ) **PROCEEDING**

On January 3, 2022, the Court held a telephone conference with the parties regarding the *Track Three* abatement proceeding beginning May 9, 2022. Pursuant to this conference, the Court **ORDERS** Plaintiffs and Defendants each to submit a separate abatement plan. Each abatement plan shall list specific elements to be addressed for abatement, as well as the cost for each. Plaintiffs' abatement plan is due **January 18**, and Defendants' is due **March 18**.

Regarding discovery, Plaintiffs and Defendants shall promptly meet and confer regarding whether any information produced in preparation for the Phase I trial requires updating for Phase II. If the parties remain unable to resolve any disagreements, they shall promptly raise those issues with Special Master Cohen for resolution. The Court further orders that, for each element listed in their abatement plan, Plaintiffs shall produce by **February 1** discovery showing how much money Lake County and Trumbull County each expended on those elements in the two most recent years for which such data is available.

**IT IS SO ORDERED.**

**/s/ Dan Aaron Polster January 4, 2022**  
**DAN AARON POLSTER**  
**UNITED STATES DISTRICT JUDGE**